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REVIEW ARTICLE

Crisis management experience in Hungary

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Abstract
The experience of managing the COVID-19 and the migration crises in Hungary has been highly criticized in academic literature. The article delves deeper into the matter by scrutinizing the dual challenge of managing the given crises while facing disciplinary measures from the EU. The study uses the system approach to explain and predict the interactions between the affected nation states and the EU institutions in times of turbulent crises. The article's affirmations are inspired by the system approach and are substantiated by comparative findings of empirical studies. The article finds that disciplinary interventions are likely to increase autopoietic tendencies in the targeted member states. Disciplinary measures apparently add to the member states' challenges inevitably increasing self-reliance and autonomous decision-making.

Keywords Crisis management · Dual challenge · Autopoiesis · System theory

1 Introduction

This article aims to research the 'dual-challenge' of small–medium-size states being caught up between an actual challenge and external players who pursue their own priorities. Neither the EU nor other global or regional governance institutions have been analyzed as being part of the external challenges the nation state faces. Countries of scarce domestic resources, like Hungary, tend to find themselves between rock and a hard place fighting against the crisis of the day while being surrounded by external expectations of international actors. Such situations create an "either—or" dilemma for the nation state: either to focus on the matter of the given challenge or on the expectations of—relatively powerful—external actors. The article embeds the examination of this dilemma into the "general system theory" developed by Bertalanffy (1968) and Laszlo (1972) using two concrete crises as examples, namely, the

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responses to the COVID-19 and the migration crisis of 2015. The original biology-inspired system model offers an explanatory view of the nation state which struggles to maintain its decision-making sovereignty and views all external forces through the lens of survival. Hence, the study has the following structure:

- briefly introducing the main facts of the COVID-19 response policies being followed by the discussion on the external expectations represented by international players (mostly the EU),
- a similar pattern is applied regarding the migration crisis (isomorphism).
- The facts on responses and expectations regarding both recent challenges are analyzed in the context of general system theory.

The article's summary of the COVID-19 response measures is based on the comparative study of Szabó and Horváth (2021) for the countries of the Visegrád Group. What still makes the Hungarian example different is the plethora of critical remarks regarding its alleged non-alignment with external expectations. A similar but less detailed analysis is given regarding the migration crisis as well to underpin that the 'dual challenge' is far from being unique or isolated to only one challenge or crisis. The reason of the selection of the two crises for research is that both belong to the present or the immediate past, are extensively politicized, and have significance to the decision-makers of the EU institutions.

The discussion offers two explanations to the fact that such small and medium-size countries may be caught up in the 'dual challenge'. (1) One is the decades-long development path of democracy-transfers versus the organic approaches to the origins of democracy and (2) the other is the struggle for systemness in which one system (the nation state) is muddling through the given crisis to maintain itself (autopoiesis, Bertalanffy, 1968) while certain external players (the EU and other international actors) make attempts to deny their systemness or holism which inevitably leads to a conflict.

2 Using the logical patterns of general system theory for public administration and public policy responses to various crises

The research design is built on historical examples of recent challenges which are examined using secondary research. The relevant empirical results taken from the scientific literature provide isomorphic examples of handling the same external challenges at the same time. The decisive similarities despite geographical and/or cultural circumstances validate the main affirmation of general system theory that systems (such as nation states) tend to maintain their existence by means of adaptation. In the case of Hungary, the adaptation pressure was dual for institutionalized pressure from the EU was eventually contrary to system self-interest. The academic realms of political science, public administration, and public policy have discerned and internalized that social and historical developments may be viewed as manifestations of complexity (Farazmand, 2009; Morçöl, 2014). Within the vast realm of literature on complexity in public administration and public policy, there are at

least two main currents: chaos theory and system theory. (1) The former embraces 'uncertainty' or 'hyper-uncertainty' emphasizing that a general pattern of seemingly minor inputs may have powerful effects (Capra, 1982; Farazmand, 2003, 2009; Galbraith, 1977, 2006). Farazmand (2009) refers to an ample collection of propositions on complexity with remarks to public sector change, globalization, and adaptation. He elaborates the idea that the latter is a profound system characteristic aiming to preserve 'holism' (Bertalanffy, 1968, Morçöl 2014). (2) Authors emphasizing system theory are mostly interested in the question on how public organizations can resist external turbulences. The tendency for systemness relies largely on system adaptation (Morgan, 2006) and proactive, future oriented, and flexible structures which are recommended by a number of authors (Argyris, 2004; Farazmand, 2006; Stacey, 2001).

System reactions to an external stressor may take the form of callous resilience (Wee & Asmah-Andoh, 2022), may manifest in a heuristic decision-making (Drack & Pouvreau, 2015. p. 546), may also rely on system anticipation with mistakes and occasional miscalculations (Leydesdorff, 2005). Mistakes in public policy may be pre-empted by contingency planning for developments that are rationally anticipated (Scott, 2001). Furthermore, the increasing pressure for adaptation and adaptability may enable organizational strategies of better human development and organizational learning (Farazmand, 2003), gaining agility by higher level of flexibility and responsiveness (Mergel et al., 2021), collaborative partnerships (Ansell et al., 2021), intensifying collaboration through networks (Krogh, 2022), or open government as a composite notion embracing the dimensions of information availability, transparency, participation, collaboration, and information technology (Gil-Garcia et al., 2020). Moreover, Farazmand (2009) calls attention to the necessity of increasing organizational and administrative capacities as well as policy-making and political capacity-building for the sake of creating more adaptable public administration systems. The referred propositions fit into the thought of system adaptation: maintaining internal manageability (Ansell et al., 2021) and holism which appear to be the underlying factors of systemic self-correcting tendencies, system learning, system memory, system anticipation, and innovation while being in line with general system theory (Bertalanffy, 1968).[1]

It also needs to be mentioned that Pollitt was largely skeptical about the scientific validity of using system theory or complexity theory (Pollitt, 2009). According to him, complexity theory is too vague, does not really have an edge and represents rather a descriptive than an explanatory approach, furthermore, it lacks a specific scientific method and overemphasizes structure to dynamics.

The practical applicability of the system method is highlighted by Meek and Marshall (2018) using the illustration of the Southern California metropolitan water management system. The authors emphasize that stressors and shocks get absorbed in a process of system learning and system transformation which are emerging properties (Dahlberg, 2015) and create new ways of being (McMillan, 2004, p. 32.)

[1] Farazmand (2003) emphasizes that the idea of system thinking can be linked to the classical works of Abu-Ali Sina (Avicenna) which remark underlines the profoundness of this theory.

while leading to a higher level of resiliency by elevating the level of thinking from reductionism, facilitating new structures, new levels of self-organization, differentiation including new feedback-loops, and new time- and path-dependencies (Koliba et al., 2019). A pattern of similar thinking has emerged due to the outbreak of the COVID-19 pandemic as representatives of social sciences took the initiative to utilize the research potential in the pandemic (e. g., Gkiotsalitis & Cats, 2020, or Brodeur et al., 2021).

3 The COVID-19 pandemic challenge as a conflict between reality and expectations

3.1 The descriptive approach to the COVID-19 response of Hungary

To properly contextualize public administration analyses related to the COVID-19 pandemic in Hungary, one ought to pay attention to the legalistic public administration culture inherited from the Austrian–Hungarian Monarchy (Drechsler, 2005; Hajnal, 2003; Hajnal, 2008, p. 132; Hajnal, 2014; Hintea-Ringsmuth-Mora, 2006) entailing that policies, policy measures, and public administration decisions are deeply embedded in the Rechtsstaat concept according to which the state is the main guardian of public good hence, the state is the primary creator and enforcer of law.

In the case of Hungary, the realm of COVID-19 containment policies has proven to be a dual battlefield: primarily the pandemic itself and secondarily the expectations of external polities, mostly of the EU institutions. This distinction has split scientific inquiry into descriptive and normative realms, whereas 'normative' refers not to how the pandemic itself should have been managed to be effective or efficient but to the academic reflections on the external expectations and the extent of their being matched by Hungary. The following accounts used comparative methods which grant sound overview on the developments as they unfolded.

Articles 48–54. of the Constitution (Cardinal Law) of Hungary offer a variety of various sorts of emergency law: (1) exceptional state, (2) state of emergency, (3) preemptive defense state, (4) terror emergency, (5) suffering unexpected attack, and (6) constitutional emergency. The latter option was activated for COVID-containment policies which enabled the Government to suspend or bypass the enforcement of certain laws or to take other exceptional measures. The definition of a human epidemic had already been given by the Act No. CXXVIII of 2011 which the Government used to create Decree No. 40 of 2020 (March 11) but according to section (3) of Art. 53. of the Constitution (such decrees may remain in force only up to 15 days). This made it essential that the Parliament enacted the text of the Decree as an Act (No. XII. of 2020) which made it possible for the decrees issued under the term of the constitutional emergency to prolong the effect of the decrees issued under sections (1) and (2) of Art. 53. of the Constitution in an arbitrary fashion. While the original (15-day) Decree was accepted by the opposition parties, the latter possibility of prolongation faced their criticism. The Hungarian example is far from exceptional and has been compared with other countries in the region: Slovakia, the Czech Republic, and Poland which—together with Hungary—form the

so-called Visegrád (V4) countries.[2] Horvat et al. (2021) argue that the countries they compared (Poland, Czech Republic, Slovakia, and Hungary) intensified their regulatory efforts and their public service digitalization in order to contain and manage the pandemic in a rather similar fashion. Furthermore, Szabó and Horváth (2021) applied a descriptive public policy approach (instead of a traditional legalistic public administration analysis) as follows.

On the verge of the COVID-19 outbreak, the Government established a highly centralized Operational Body already on January, 31st, 2020—the first case of infection having been officially recorded on March 4th and the first fatality being reported on March 15th. On March 11th, State of Emergency was declared based on Art. 53. of the Constitution[3]; while on March 30th, the Act on Containing Coronavirus was adopted by the Parliament.[4] The Act granted the right to the Government to take any measures necessary to contain and handle the pandemic, including the suspension of certain laws without any specific deadline. The wide authorization had certain limitations though: the authorization was to be ended upon the decision of the Parliament, furthermore, the Government had to observe the principles of necessity and proportionality of its measures. In fact, the first State of Emergency was called off by the Government on June 18th and was replaced by the more specific and much less restrictive state of 'epidemiological preparedness'. Free and volunteer inoculation programs commenced early February, 2021 having been enhanced by a large-scale communication campaign. The peak of the pandemic in Hungary was April 13th, 2021 with 272,974 registered active cases, while by the 1st of September—which is first day at school—there were only 4826 active cases. Until this time there were 30,059 fatalities, 777,646 people pulled through and 5,772,010 people received at least one dose of vaccine[5] (which was cca. 59.7% of the population). The descriptive remarks on the Czech, Slovak, and Polish accounts are displayed in the following table. It appears that given their geographical and cultural proximity, the COVID-19 containment patterns had significant similarities (isomorphism) in the four countries (Table 1).

The apparent pattern of events in the V4 countries was to constitutionally interpret the new emergence first, then to react with drastic measures such as certain forms of curfews, closing of public places, and mask mandates to slow down the pandemic until it seemed necessary while boosting up public health capacities until the vaccination became available. The differences within the V4 group—which made for instance Slovakia successful—were more bound to the practical details of implementation and citizen-cooperation than to the concrete government measures which were largely similar.

[2] https://www.visegradgroup.eu/ Retrieved: 05. 24. 2023.

[3] Government Decree on Announcing State of Emergency No. 40/2020 (III. 11.).

[4] Act No. XII. of 2020.

[5] Data originate from koronavirus.gov.hu through https://hu.wikipedia.org/wiki/Covid19-koronav%C3%ADrus-j%C3%A1rv%C3%A1ny_Magyarorsz%C3%A1gon Retrieved: 01.28.2023.

Table 1 Legal steps and policy measures by the Czech Republic, Slovakia, and Poland

	Czech Republic	Slovakia	Poland
Legal background	Source: Act No. C. of 1998 Art. 5–8 only. The Government may enact a max. 30-day state of emergency in case of natural, industrial or ecological disaster of which the Government informs the House of Representatives without delay. The House may annul the decision or extend the period. During state of emergency, the House must discuss bills within 72 h and submit them within 25 h to the Senate	The Slovakian Constitution invests the Constitutional Court to control norms enacted in state of emergency for which there are 3 categories. The Constitution allows to issue a law on the bases of emergency which was issued in 2002. According to this, emergencies can be announced up to 90 days. Act No. 42/1994 allowed the declaration of "crisis situation"	According to Chapter XI. of the Constitution, there are three types of state of emergency in Poland which may be announced by the President upon the proposal of the Government and followed by the approval by the Sejm within 48 h. Depending on the chosen type, the state of emergency and exceptional rules may last until 30–60–90 days with a limited possibility of extension on one occasion

Table 1 (continued)

	Czech Republic	Slovakia	Poland
Measures	First infection was detected March 2, 2020. State of emergency was declared March 12, which was in force until 17 May, after some extensions. March 11: schools closed, 12: events over 30 people banned, commercial and service facilities closed except the most essential ones. March 16: curfew with some exceptions, borders closed. March 18: mask mandates, 23: gatherings of more than 2 people banned. March 30: smart quarantine (algorithm-based contact-research). April 7: curfew rules eased in part. April 14: scheme of easing accepted, April 20: partial liberalizations in the retail sector with no personal contact. July 27: Ministry of Health pandemic preparedness plan published September 20: state of emergency decision by the Government from October 5 for 30 days The third wave started February 2021, mass-vaccinations, schools closed	The latter was used March 11, 2020, but was followed by declaring state of emergency on March 15. This was necessary to put the public health system to alert. Slovakia was one of the most successful countries in Europe in containing the virus during the first wave. Most infections were registered in Bratislava County (365). Containment measures were gradually eased from May 21: in four steps. The second and the third waves though took their heavy tolls, the public health system became overburdened	Poland did not announce state of emergency. Measures were based on Act on Epidemic Control of 2008 and the COVID-19 Contingency Law of 2 March, 2020 (enacted: March 8.) March 9: epidemic control check-points on borders. March 13: epidemic hazard, March 20: epidemic outbreak announced, March 24, curfews of different forms were announced First lifting of quarantines were announced May 4 for cross-border workers and students of the EU. May 6: kindergartens and childcare facilities were re-opened. End of May: gatherings were re-authorized up to 150 people with social distancing. Mask mandates were gradually eased. June 6: movies, theaters re-opened The second and the third waves were controlled in the same fashion, mass-vaccinations were started Spring, 2021

Work of the author based on data from Szabó and Horváth (2021)

As another remark regarding morphological similarities, Grzebalska and Madarová (2021) argue that the V4 countries have undergone a certain level of re-militarization during their COVID-19 containment policies.

3.2 Applying the interventionist school of democracy: the normative approach of academic discussion regarding Hungary's counter-COVID-19 measures

Critical authors on the Hungarian handling of the pandemic tend to add political and legal aspects—borrowed from or inspired by the interventionist approach of democracy—to their inquiries upon which they establish their criticism.

Christensen and Ma (2021) put the US, China, Israel, and Hungary into the group of countries in which governments used the pandemic for political purposes by one way or another. Similarly, concern of a political power-grab (Cormacain & Ittai Bar-Siman-Tov, 2020) and that crisis management means may threaten the rule of law by not complying with its liberal interpretation (Drinóczi & Bień-Kacała, 2020) so as the concern of drifting toward authoritarianism (Landman & Splendore, 2020, p. 1063) are amply represented in the relevant literature. Fear of curtailing parliamentary powers by executive means under the pretext of pandemic control was expressed by Bolleyer and Salát (2021). Similarly, Moise et al. (2021) embed their concern into the pre-existing narrative that Hungary is not any more a democracy and COVID-19 just enabled the government to take even more power. Bohle and Eihmanis (2022, p. 497) argue that Hungary is a populist regime, so are such regimes in the region and around the world, because it cannot afford unpopular policy measures, therefore Hungary's policies are less-scientific or anti-scientific. Concerns for civil society were put forth claiming that Hungary's civil society has "considerably shrunk because of repressive policies" of fighting against the pandemic (Feischmidt & Neumann, 2022, p. 17.). Sedláková (2021. pp 79–80) refers to the fact that Hungary was the only country in the EU that used Chinese (and Russian) vaccines and that this policy decision was criticized as "anti-democratic", while Goodwin et al. (2022) found that political behaviors and vaccine preferences may be connected.

The remarks on the descriptive and the normative schools of democracy and COVID-19 containment policies throw light on the duality of challenges: the first being the matter itself while the second being the challenge of expectations that stem from interventionist legacies and tendencies discussed later in this article.

4 What general system theory teaches us about fighting illegal migration in Hungary

Hungary witnessed a steady inflow of migrants of 20,000 per annum in the early 2000s which increased up to more than 25,000 in 2005. From 2006 to 2013, the number of immigrants floated between 20,000 and 25,000, while the internal composition of migrants also changed. The proportion of migrants coming from Asian countries grew considerably, partly because ethnic Hungarians from the surrounding countries were granted citizenship under simplified rules thus, they were not

included in the migration statistics. After a brief correction in 2016, the 2017–2020 period brought a new wave of immigration of 49,312 in 2018, 55,297 in 2019 which was over 64.000 together with immigration of citizens of the surrounding countries in 2019. Due to the COVID-19 pandemic, the numbers decreased in 2020 to gross 51,000 which included 43,785 migrants from other than the neighboring countries (figures from: Gödi and Horváth, 2021).

Contrary to legal migration, illegal migration shows a totally different pattern: after a modest figure of 6,903 in 2011, there was a steep growth until 2014 with 50,065 illegal border crossings. An unexpected leap took place in 2015 with 414,237 (Kui, 2016) annual new entries with daily pikes occasionally exceeding 10,000 in August and early September until the Government decided to close the borders with law enforcement personnel and later by physical installments as well. That time the country's population was 9.778.000 which gives a rough estimation that if a proportionate occurrence had happened in the US (a population of 320.878.000 in 2015), it would have seen the arrival of 13.595.735 illegals, most of which populace would have arrived within a two-month timeframe. Even given the fact that almost all migrants were heading for Western Europe through the Austrian–Hungarian border, this was an utterly unstable situation threatening the entire population—especially threatening to domestic minorities such as the Roma with the outlook of losing their relative positions in public attention to a new populace—there was a realistic threat that if either Austria or Germany had intended to close its borders, a mass of exponentially growing, frustrated, and traumatized population would have remained in the country. The comprehensive presentation of Hungary-critical academic writings would be beyond the limits of this article but to give a hint of the content of criticism, the following accounts are mentioned.

Cantat and Rajaram (2019), Majtényi et al. (2019) take the stance that what had happened was a consequence of Hungarian backsliding in the rule of law and democracy—largely represented by the grievances of NGOs. Others put the emphasis on political developments such as populism (Etl, 2022) or intolerant, xenophobic, islamophobic, and antisemitic[6] (Kalmar, 2019) tendencies or even 'Caesarian' (Sata & Karolewski, 2020) rhetoric.Further authors (Pap et al. 2019) use the migration crisis to put forth counterfactual remarks as if the extreme right had any influence in the government (as a matter of fact, they joined the unified opposition in 2020 which lost the elections in 2022[7]). Further accounts mention racism and welfare-chauvinism (Andits, 2022), de-democratization and politicization (Beger, 2023). Legal scholars tend to emphasize that Hungary's actions are against human rights (Hoffmann, 2022) moreover, that the rule of law failed in Hungary en bloc as a concept but not without the latent participation of the EU (Halmai, 2020).

The enlisted affirmations indicate that many of the criticism itself, however, aired in the academic realm, are overtly politicized and highly resembling the

[6] The contrary is true according to Rav Köves, Slomó: https://hungarytoday.hu/hungary-safest-europe-jews-rabbi-koves-first-site-conference/ Retrieved: 01.27.2023.

[7] https://www.politico.eu/article/hungary-opposition-unites-in-bid-to-unseat-orban/ Retrieved: 01. 27. 2023.

cited critiques regarding the Hungarian anti-COVID-19 policy measures. On the other hand, after having analyzed more than 160 corresponding official documents, Canveren and Durcaçay (2017) came to the conclusion that handling the migrant crisis in Hungary should be seen as a series of efforts of securitization and Euroscepticism, which approach possesses significant resemblance to self-preservation aspect of system theory. Still, the Hungary-critical authors are not mistaken that the migrant crisis was highly politicized (Cantat & Rajaram, 2019) but there is no example of any country where a similar occurrence has not become so.

System theory hints that any system—including a nation state—has the 'telos' to maintain its integrity within its means. Apart from the cited accounts, there are relatively scarce remarks on this potential conclusion, although the inflow of migrants necessarily brought the importance of system boundaries or membrane effect into the public realm (Bailey, 2008). Luša (2019) develops an explanatory view on the migration phenomenon applying a small-country perspective, coming to the conclusion that the countries analyzed (Croatia, Slovenia, Austria, Denmark, and Sweden) pursued policies that were not aimed at satisfying pan-European policies, instead, small countries pressed forward "to reduce migratory pressure and maximize national leeway" (Slominski & Trauner, 2017, p. 101). One can add Hungary to this group of small countries which are following their own course, while considering the EU as an external hinderance in pursuing their own system-driven objectives.

5 Discussion

5.1 The country-critical normative school

The description of the academic debates on the origins of democracy and the rule of law as decisive Western values and organizing principles is beyond the scope of the current paper but have been excessively discussed already (Gellén, 2021). The current chapter continues the expectation-laden remarks of country-critical authors emphasizing that similar criticisms had existed before the two major crisis events (COVID and migration). Reference to this train of thought is necessary to illustrate that the authors' expectations prioritize democracy and the rule of law in crisis management.

According to Ágh (2013), backsliding in democracy could be discerned from 2010. Soyaltin-Colella (2020) and Huber and Pisciotta (2022) uphold the already existing backsliding theory and promulgate the idea that Hungary and Poland should be sanctioned by EU interventions. Closa (2019) hints that there is a rule of law crisis in Hungary and in Poland, citing Pech and Scheppele (2017a). After having interviewed Commission officials, Closa (2019) found that (interventionist) scholarly criticism by Kelemen (2017), Pech and Scheppele (2017a, 2017b) and Kochenov (2016) influenced the Commission officials to justify their actions regarding why they had restrained themselves only to infringement procedures against Hungary and Poland. Appel (2019) urges joint international effort combined with street

demonstrations to overturn Hungarian policies. Kazai (2021) criticizes the Hungarian legislative process hinting that it does not fit into the frameworks of the rule of law.

Not every scholar accepted such views. Ovádek (2018) found—after having analyzed 80 relevant publications—that academic publications concerned about democracy and the rule of law in Poland and Hungary tend to lack proper methodology, thus, must be rendered ungrounded.

5.2 Remarks on transboundary challenges

Both the migrant crisis of 2015 onwards and the COVID-19 crisis fit the category of transboundary crises (Boin, 2019). The term "transboundary" does not only refer to geographical borders but also to potentially all kinds of boundaries in the cognitive, political, and physical realms. Such transboundary crises push states toward centralization (t'Hart, 2023) as well as stronger internal and international coordination which inevitably has aspects of politicization for collective actions of resilience need to be "sold" to the public. Building transboundary crisis management institutions is also inevitable (Boin, 2019, p. 98). It is common in many COVID-19 examples that the top leader assumed in-person command and responsibility which had significant effects on the political unity. This can be viewed as politicization, but transboundary crisis management theory shows that strengthening command and control structures and centralization are, to a certain extent, inevitable or necessary (Boin, 2019). Transboundary crisis management capacity-building can be built through learning and technological development (Farazmand, 2003) as well as national and transnational information exchange, and coordination (Parker et al., 2020, t'Hart, 2023) which entail drastic policy measures within the frameworks of the laws of emergency (Horvat et al., 2021).

From the briefly summarized remarks on transboundary challenges, it appears that the Hungarian case is not special or unique in its content. What makes it different is the realm of expectations.

5.3 Inquiry into the system clash problems in managing crises

Should system theory be a valid realm of scientific explanations, it ought to have similar explanatory power in system-to-system or system-to-subsystem interactions, depending on how we define EU–member state relations. There are at least three possibilities to classify EU-member state relations applying the notions of general system theory. (1) The EU is a non-system but the member state is a system. (2) The EU is a system as well as the member state; therefore, there is a system-to-system cooperation or a system-to-system struggle between them. (3) The EU is a supersystem, while the member states are sub-systems. In the latter setting, the EU is a top-down structure with its decision-making center in Brussels being represented locally by the member states. In the following brief discussion, Hungary is taken as an example of a recalcitrant member state and the three possibilities are examined.

1. If the EU is a non-system and Hungary is a system which chose to cooperate with other similar systems (other member states), than the EU–member state relations must be governed by mutual interests, otherwise any nation state under institutional pressure of the EU is likely use its systemic powers to maintain callous resistance (Wee & Asmah-Andoh, 2022) or any other form of resilience toward external stressors of any sort, implicitly the EU. Counties of strong internal cohesion, culture, language, and common legacy of past experience like pain and suffering (system memory) are definitely more system-like than the newly created EU.
2. If the EU is a system and Hungary as a member state is a system as well. Hence, cooperation, competition, or struggle are possible between them while neither denies the other entity's systemness. Based on the given realities, this possibility appears the least plausible.
3. The EU–member state relations may also be modeled as system–subsystem relations which assumes the liaison between lower-level components of the system (member states) that are controlled and those (higher-level) ones which exercise control (Laszlo, 1972. p. 68.). Based on this definition we get the formula for a top-down relation between the EU and a member state as a system-subsystem interaction whereas the member states might benefit from being a subsystem in the EU by being able to interact and mutually have access to each other's resources at significantly lower transaction costs (Garoupa, 2012) but at the cost of maintaining the super-system (Laszlo, 1972).

Based on research of EU documents, Rech (2018) developed a classification on the legitimization of disciplinary efforts by EU institutions toward Hungary as a member state which hint that the EU views itself as a super-system. Rech (2018) offers the following overview of various grounds of democratization by top-down intervention within the EU:

- Agreement by all member states to yield to EU law and be democratized alike (minimalist–positivist argument: super-system regulation).
- Upholding constitutional values is necessary to maintain a supranational entity (existential argument for the EU as a super-system).
- Upholding rule of law and democracy contribute to the stability, peace, and prosperity of the EU (teleological argument for the EU as a super-system).

Especially, the latter two intervention grounds bare theoretical weight regarding the system-driven aspect of the EU's exercising disciplinary power over member states based on the existential interest (systemness) and the telos of the super-system. Both point at the EU's viewing itself as a super-system with its own existential arguments and/or telos. The minimalist–positivist argument can also be better understood in the light of the EU's ambition of acting as a super-system and applying internal disciplinary powers accordingly, even at the cost of the member states' adequate crisis-management efforts. Rech's (2018) findings corroborate the validity of system theory from the angle of the EU's self-definition.

5.4 Which one to manage: the matter of the crisis or external expectations?

The term 'managing external expectations' refers to the challenge that the EU super-system's disciplinary power poses to recalcitrant member states. Probably the best illustration to the dilemma of either managing the actual crisis or the external expectations is the non-disbursement of the COVID-19 recovery funds[8] which illuminates the following sequence:

1. Crisis penetrating the system's barriers.
2. Internal response: managing the crisis by applying hierarchies, regulations, and special (crisis-specific) measures.
3. External response: criticism and denying access to recovery funds.
4. Internal consequences: aggravated/lengthened crisis.

At step 4, a real policy challenge occurs whether to concentrate on the internal materiality of the crisis or rather turn to mitigate external pressures by managing expectations to have the COVID-19 recovery funds disbursed and, thus, mitigating the secondary effects of the crisis. The fundamental question related to system theory in the democracy/rule of law debate is whether democracy and the rule of law are system-bound or system-neutral phenomena. If the former position is true, then democracy and the rule of law necessarily stem from the organic processes of the given system. On the other hand, if they are system neutral, they can be transferred by external forces from system 'A' to system 'B'. This is a question of fundamental importance because if we accept the principle of democracy as an inherently system-bound phenomenon, then all attempts to transfer democracy from 'A' to 'B' are per definition un-democratic or even anti-democratic.

The question whether the rule of law is system dependent or system neutral can be answered by simply referring to sound legal methodology. Traditional dogmatic legal inquiry offers grammatical, logical, historical, and systemic methods of interpretation in civil law thinking while case law research also offers extensive use of analogies of previous cases. Both legal realms (civil law and case law) require sound contextualization embedded in the legal culture of the given jurisdiction (Möllers, 2017) without which the concept of the rule of law lacks methodological anchorage which undermines the validity of the findings drawn from it.

The following Chart 1 displays a simplified model of the 'dual challenge' of the pressing question of managing the materiality of external crises or external expectations.

The chart above summarizes the approach of this article in a simplified model. External challenges such as the pandemic and the migrant crisis tend to appear according to a stochastic function in time and the nation states have developed their adaptive-resilient approaches adequately throughout history. The EU and potentially other international (global or regional) governance entities tend to use the crises as

[8] https://www.politico.eu/article/brussels-turns-down-hungarys-recovery-plan/ Retrived: 01. 30. 2023.

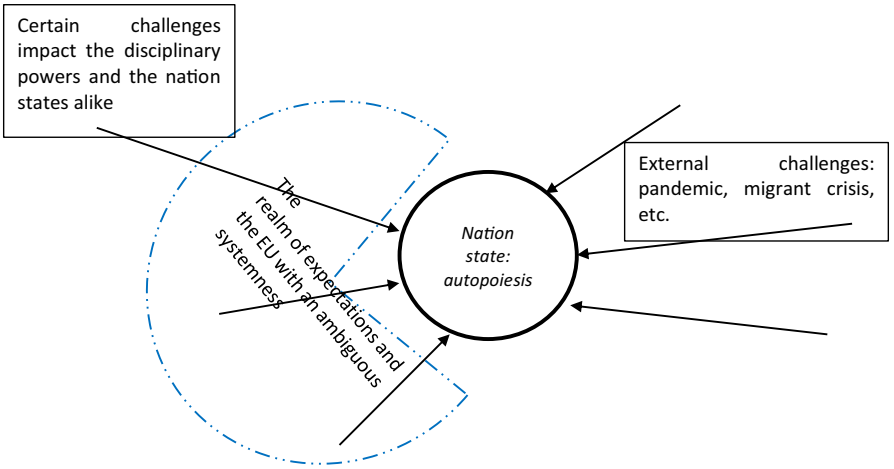


Chart 1 Simplified model of the 'dual challenge' situation

opportunities to leverage their own priorities regardless of whether they align or collide with the organic autopoietic tendencies of the nation states.

6 Findings and concluding remarks

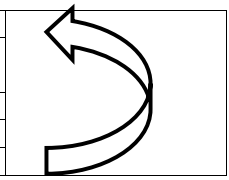
The current article elaborates on the dual challenge of small EU member states which face crises such as the COVID-19 and the migrant crisis of 2015 while having to manage the challenge of the EU institutions' expectations. The study found that such countries—primarily but in certain aspects not exclusively Hungary and Poland—found themselves in a sequence of events as follows:

1. External challenge.
2. Policy responses.
3. New challenge of unmet external expectations posed mostly by the EU.
4. Policy dilemma to choose between managing the external challenge or the challenge of the expectations.

The research found that system theory offers a robust explanation as well as predictive remarks to the behavior of small and medium member states in times of crises. Small countries tend to demonstrate more system-likeness in their self-protective tendencies (Luša, 2019; Slominski & Trauner, 2017). The relatively small size and a sense of isolation alike appear to enhance system thinking in the decision-makers' mindsets and systemness (holism) in general.

The article emphasizes that tendencies putting forth expectations represented in public policy and in academia alike are not new but they gained throttle with the EU's becoming a disciplinary "casual Behemoth" (Vachudova, 2005). The EU's drive to stay in control has also certain implications in system thinking, according to

Table 2 The vicious circle of the EU–member state system interaction in the epoch of crises

1. Higher level of crises, more challenges. 2. Higher system-reliance (autopoiesis) from the member states. 3. Higher autonomy, higher deviation from EU policies. 4. More efforts to discipline by the EU. 5. More challenges for the member state.	

the findings of Rech (2018) but this inevitably creates system-to-system tensions or the recalcitrant member states' struggle for systemness—depending on whether we identify the EU as a system or as a non-system. Rech's findings are in contrast of the EU's explanations for applying disciplinary measures against Poland and Hungary, namely, the pro-democracy and pro-rule-of-law arguments which—according to the findings of the article are decisively more system-bound than system-neutral values.

The question follows whether either the EU or its recalcitrant member states follow the right pattern. Regarding this question, the following remarks can be made based on the findings of this work.

1. It can be affirmed with high certainty that the EU did not support the targeted member states' (Hungary, Poland or potentially other countries) efforts to contain or manage the crisis of the day by overemphasizing opportunities for discipline at the cost of potentials for help. Discipline—in the legal sense—refers to norms issued in the past while new emergences require system-creativity and developing new properties (Dahlberg, 2015); therefore, disciplinary efforts lean toward being non-crisis responsive and ultimately contrary to the autopoietic tendencies of the member states.
2. The small/medium member state especially with a sense of relative isolation apparently seeks refuge in enhanced system thinking by extensive reliance on its own resources and initiatives. This was discernible as a general pattern in the entire EU (see: "coronationalism" by Bouckaert et al., 2020) but smallness and the sense of isolation generate a certain awareness of vulnerability which leads to higher level of self-reliance (autopoiesis).

Based on these two remarks, it appears substantiated that the EU's disciplinary efforts using the crisis for enhanced impacts entail a higher sense of vulnerability in the targeted nation states which leads to a higher reliance on the member state's own initiatives, leading ultimately to a tendency of system-driven decoupling from the EU in times of crises.

The concluding remarks follow that a new epoch of crises are expected to bring a vicious circle of EU–member state interactions. If the EU enhances its disciplinary efforts, it strengthens autopoietic efforts from the member states to which new disciplinary measures are to come in the following sequence (Table 2).

Having scrutinized a significant chunk of the relevant literature pertaining to the realm of public administration and public policy, it appears to be a substantiated finding that the EU uses crisis situations to leverage its power position against

its members. The inference follows from this observation that from the member states' point of view, the crisis becomes more complicated because of crossing a new boundary (Boin, 2019), namely, entering the EU-member state debate. To put it in the language of system theory: the EU has certain tendencies to utilize external stressors to articulate its own systemness (Bertalanffy, 1968) at the expense of its members' holism. The article found that the COVID-19 management approaches of Poland, Hungary, the Czech Republic, and Slovakia were apparently very close to each other with only slight differences. What differentiated the Hungarian and partly the Polish cases from the other examples was the EU's enhanced disciplinary actions toward them. In addition, timely crisis management appears to have been hindered by the EU's tendency to adhere to its previous positions regardless of their gradually becoming asynchronous with reality. This phenomenon by contrast underlines the nation states' being organic systems with an inherent drive for autopoiesis being engaged in solving, avoiding, or mitigating challenges or crises where and when they emerge. This behavior contradicts the EU's clinging on its own interests which inclines the EU to put pressure on the member states to comply with its own regulatory, existential, and/or teleological initiatives (Rech, 2018). One must admit that the nation states' crisis responses are far from being flawless. The currently experienced turbulent pattern of public policy and public administration crises and challenges are expected to enhance predictive thinking—in connection with system thinking—despite predictions' being occasionally vague and erroneous (Drack & Pouvreau, 2015, p. 546; Leydesdorff, 2005). Still, the timeliness and ownership of decisions tilt the balance toward autonomous, system-driven crisis management in the near future.

6.1 Limitations

The paper uses secondary data sources, all of which are referenced. However, the data collection methods used by the cited authors differ from each other therefore they are not entirely comparable.

The study uses general system model as an explanatory framework to unify the findings of the following: theories regarding state responses to the COVID-19 pandemic and the 2015 migration crisis, theories of the nature and transferability of democracy, country-critical theoretical accounts of political science and law, and cross-boundary challenge theory. Thus, the use of multiple theories may affect theoretical clarity but the author's conviction is that even different scientific approaches may come to similar conclusions regarding the same element of reality. Contradicting scientific affirmations require further clarification to which general system theory bares one possibility.

Another source of limitation is that the paper focuses on one country, while other countries are unevenly discussed in the paper. It will require further research to clarify whether the enhanced autopoietic tendencies described in this paper are applicable to other countries that are more or less isolated for any reason.

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Declarations

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